

CAUSE NO. 2018-14171

**THOMAS, ROBERT L.,
JAMES ALLEN,**

Plaintiff,

v.

**MCCARTHY & HOLTHUS LLP, ON
BEHALF OF FLAGSTONE LENDING
GROUP A NON-EXISTENT UATH CORP.
AND SUCCESSOR/ASSIGNEE J.P.
MORGAN CHASE BANK N.A.; and
ELIZABETH THOMAS,**

Defendants.

IN THE DISTRICT COURT

133RD JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

AFFIDAVIT OF THUY FRAZIER

Before me, the undersigned notary, personally appeared Thuy Frazier, a person known to me, who having been sworn stated on oath:

1. My name is Thuy Frazier I am over the age of 21 years and I am fully competent to make this affidavit. I have personal knowledge of all the facts stated herein, and all statements of fact contained herein are true and correct.

2. I am an employee of McCarthy & Holthus, LLP (“M&H”). I currently hold the position of Associate Attorney with M&H. In preparation for making this affidavit, I have reviewed M&H’s records related to the property located at 8202 Terra Valley Lane, Tomball, TX 77375.

3. I make this affidavit based on my personal knowledge of the facts contained herein and they are true and correct. My personal knowledge is based on my review of the records described below. In the regular performance of my job functions at M&H, I am familiar with the business records maintained by M&H. These records are kept by M&H in the regular

course of business, and it was the regular course of practice of M&H for an employee or representative of M&H with knowledge of the act, event, condition, opinion or diagnosis recorded to make the record or to transmit information thereof to be included in such records; and the record was made at or near the time or reasonably soon thereafter.

4. On November 16, 2016, M&H was retained by JPMorgan Chase Bank, National Association (“Chase”) to facilitate foreclosure proceedings on their behalf regarding the property located at 8202 Terra Valley Lane, Tomball, TX 77375.

5. In the course of M&H’s representation of Chase, M&H has sent out letters that are relevant to the foreclosure proceedings. True and correct copies of various letters sent by M&H in the course of their representation of Chase are attached hereto and incorporated herein as Exhibits 1 – 4. These letters are representative of the types of letters normally sent by M&H during the foreclosure process, but are not an exhaustive display of different letters that may be sent in the normal course of representation.

6. In reviewing M&H’s records, I have found no letter dated on or about February 15, 2018 that was addressed to Robert Thomas.

7. M&H has not been retained by Flagstone Lending Group in any capacity related to the property located at 8202 Terra Valley Lane, Tomball, TX 77375.


FURTHER AFFIANT SAYETH NOT.

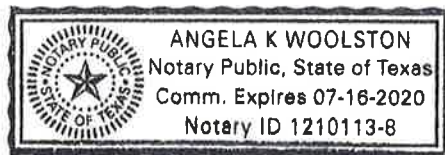

Thuy Frazier
AFFIANT

STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, the undersigned Notary Public on this day personally appeared Thuy Frazier, who is a duly authorized employee of McCarthy & Holthus, LLP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on 02-21-2019


Notary Public in and for the State
of Texas



Angela K Woolston
Printed Name of Notary Public
My Commission Expires 7-16-2020